

**WAYNE COUNTY WATER AND SEWER AUTHORITY
BOARD MEETING MINUTES**

Meeting of: Tuesday, June 27, 2023

Location: Wayne County Water & Sewer Authority Operations Center, Walworth, New York

Present: LaVerne Bliiek, Jean Johnson, Lori Furguson, William Hammond, Mark Humbert, Dan LaGasse, Donald Ross

Absent: Robert Hutteman, David Scudder

Advisors Present: Michael Howard, General Counsel

Staff Present: Martin J. Aman, Executive Director
Derek Ceratt, Technical Director
Peter DiBenedetto, Operational Support
Jessica Freling, Executive Administrative Assistant
Sheryl LaDelfa, Accounting Manager
Demaris Verzulli, Secretary of the Meeting

Visitors: None

Chairman LaVerne Bliiek called the meeting to order at 1:34 p.m. and led the meeting in the Pledge of Allegiance.

I. Chairman's Report

Adoption of Minutes

After due discussion and deliberation, Mr. LaGasse moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that the minutes of the May 23, 2023 meeting of the Wayne County Water and Sewer Authority be accepted with no changes.

Correspondence: None

II. Treasurer's Report

Ms. Johnson invited questions on the warrant, which had previously been emailed to the Board members for examination. After due discussion and deliberation Ms. Furguson moved, Mr. Hammond seconded and all members present unanimously approved the following resolution:

RESOLVED, that the following claims are hereby authorized and directed to the Treasurer for payment: Vouchers 23-924 to 23-1197 for a total of \$8,014,401.04.

Ms. Johnson invited questions on the Financial Statements for the month of May, which had previously been emailed to the Board members for examination. After due discussion and deliberation, Mr. Hammond moved, Mr. Humbert seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Wayne County Water and Sewer Authority's Monthly Financial Statements for May 2023 be approved and accepted.

There was discussion of the possibility of needing cash that is in one of the Certificates of Deposit, before grant money would be released. Ms. LaDelfa was told by Lyons National Bank that the bank would waive the penalty for breaking a CD. The Board has already authorized moving funds out of reserve funds, if necessary, with a Board resolution. After due discussion and deliberation, Mr. Humbert moved, Mr. LaGasse seconded and all members present unanimously approved the following resolution:

RESOLVED, to authorize and direct the transfer of restricted funds in an amount not to exceed \$1.6 Million from the LNB Money Market and /or an existing LNB Certificate of Deposit for payment of materials, equipment and other capital project costs, to be reimbursed from grants or other applicable funding sources upon receipt; and be it further

RESOLVED, that the Treasurer, Executive Director and Accounting Manager be and hereby are authorized and directed to take such further action as is necessary to effect the intention of these resolutions.

III. **Agenda Items**

Western Regional WWTP Project Update

Mr. Aman reported that the Authority is preparing another application for a Water Quality Improvement Project (WQIP) grant for the Regional WWTP Project. A resolution of support is needed. The following resolution was offered by Mr. LaGasse, who moved its adoption, and seconded by Mr. Humbert, to wit:

WHEREAS, the Board of the Wayne County Water & Sewer Authority (WCWSA) supports the submission of a 2023 Consolidated Funding Application (CFA) on behalf of the WCWSA, for the Water Quality Improvement Project (WQIP) program for Western Wayne County Regional Wastewater Treatment Plant; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

WHEREAS the Town of Macedon, Town of Walworth, Town of Marion, and Village of Palmyra each owns and operates a wastewater treatment facility that needs major capital improvements; and

WHEREAS, the WCWSA will construct and operate a regional wastewater treatment plant (WWTP), located to the west of the existing Village of Palmyra WWTP, which would service all four communities in a collaborative effort to replace aged, failing infrastructure while sharing capital costs; and

WHEREAS, the project will enable the WCWSA to provide improved infrastructure in a cost-effective manner, elevating water quality for each of the involved communities, supporting growth and development in the area for years to come; and

WHEREAS, the WCWSA Board of Directors, on behalf of the Authority, has taken the necessary actions to authorize expenditures for the proposed project, as well as authorizes the Executive Director to execute necessary documents relative to and as required for the application; and

WHEREAS, the WCWSA recently received bids for the above noted project that were above and beyond the current project budget and the WQIP grant funds will help reduce the project costs to a more acceptable sewer user cost target value so that the project may move forward to the construction phase;

NOW THEREFORE BE IT RESOLVED, the WCWSA Board of Directors does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from financing of the project with a SRF loan through NYS Environmental Facilities Corporation; and

BE IT FURTHER RESOLVED, that the WCWSA Board of Wayne County, recognizes and fully supports the submission of a 2023 CFA for WQIP by MRB Group on behalf of the Authority for a wastewater treatment improvements project.

After due deliberation and discussion, the question of the adoption of the foregoing Resolution of Support was duly put to vote on roll call, which resulted as follows:

Mr. Bliet	VOTING	Aye
Ms. Johnson	VOTING	Aye
Ms. Furguson	VOTING	Aye
Mr. Hammond	VOTING	Aye
Mr. Humbert	VOTING	Aye
Mr. LaGasse	VOTING	Aye
Mr. Ross	VOTING	Aye

The Resolution of Support was thereupon declared duly adopted.

Mr. Aman reported that the environmental testing done by LaBella Associates at the Garlock site has been completed and he is awaiting the test results. Before DEC issues permits for the Force Main, the routing (whether through wetlands on the Blazey property or through the Garlock property must be finalized.) Given existing environmental conditions on the Garlock site, the DEC-mandated Site Management Plan requires ongoing monitoring and reporting in connection with any construction activities. Accordingly, at the Authority's request, LaBella has provided a proposal to provide such services on the assumption that the test results will be satisfactory. Mr. Aman then summarized the proposal and advised that the cost was estimated to be in the range of \$200,000 or more depending on the final test results. After due discussion and deliberation, Mr. Humbert moved, Ms. Furguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be authorized and directed to execute and deliver an agreement of work with LaBella Associates for construction-related services, based on the scope of work as outlined in a draft proposal dated June 23, 2023, and associated cost proposal, in connection with the Western Regional Wastewater Treatment Plant Project Proposed Force Main Sewer through Garlock Mechanical Property at 1666 Division Street, Palmyra, subject to the approval of the Authority's attorney.

Mr. Howard distributed a draft easement agreement with Garlock. He noted that this agreement retains the same structure, reporting and risk allocation as detailed in the Site Access Agreement, but also requires Garlock to indemnify the Authority with regard to risks associated with construction of the building lateral and any passive migration of contaminants from the Garlock property onto the permanent easement area. Yet to be negotiated are any compensation for the grant of the easement and potential reimbursement of environmental monitoring costs during construction of the sewer main. The draft easement will be shared with Garlock soon in order to keep the project on schedule so as to avoid any additional costs from the contractor. After due discussion and deliberation, Ms. Furguson moved, Mr. Hammond seconded and all members present unanimously approved the following resolution:

RESOLVED, that the Executive Director be, and hereby is, authorized and directed to execute and deliver the Sanitary/Industrial Sewer Main Permanent Easement Agreement for the

Garlock property in substantially the form presented to this meeting with such changes, variations, omissions and insertions (including payment of a customary and reasonable acquisition fee) as the Executive Director may approve with the advice of the Authority attorney; and

BE IT FURTHER RESOLVED, that the Executive Director be authorized and directed to take such further action and execute such additional documents and agreements as are necessary to effect the intention of these Resolutions.

Regional Water Storage Tank Update

Mr. Aman reported that the tank is up and running with Williamson pumping into it. Authority personnel will be doing some final grading and seeding and installing the fence at the tank site. The project is substantially complete but he is still awaiting word on the pending grant funds from EFC.

Review and Approve Updates to Employee Handbook

Mr. Aman reminded the Board that the revised vacation schedule in the Handbook had previously been reviewed by the Board, and the Credit Card Use policy discussed as well. Additional sections that have been revised by David Hau from Boylan, Code are the Use of Unpaid Time Off and other sections needing updates because of legal mandates. After due discussion and deliberation, Ms. Furguson moved, Mr. Ross seconded and all members present unanimously approved the following resolution:

RESOLVED, to adopt and approve, effective as of July 1, 2023, revisions to Sections 302 (Vacation Benefits); 506B (NYS Rights of Nursing Employees); 704 (Non-Discrimination and Harassment); Unpaid Leave; COVID Leave; and the new Credit Card Use Policy of the Employee Handbook each in the form presented to the Board meeting.

Commonly Used Materials Bid

Mr. DiBenedetto reported that bids were opened on June 22 for the now bi-annual Commonly Used Materials. When compared to the last bids in January, costs have gone up about 5%. While hydrant and valve prices increased about 10%, other category prices were flat or down. Lead times are improving and feedback is that the market is calming down post-COVID. After due discussion and deliberation, Mr. LaGasse moved, Mr. Ross seconded and all members present unanimously approved the following resolution:

WHEREAS, the Members of the Authority, in accordance with Article 8 of the Authority's Procurement Policy, make the following determinations: (i) the proposed awardees have been found to be responsible; (ii) the proposed awardees have complied with the Authority's Procurement Policy; (iii) the proposed awardees have disclosed all information required by the Authority's Procurement Policy; and (iv) the procurement process did not involve conduct that is prohibited by the Public Officers Law and the Authority's Procurement Policy.

THEREFORE, BE IT RESOLVED, that the bid be awarded to the lowest responsible bidders as follows:

Category: Tapping Saddles: to T Mina Supply East. for a category price total of \$795.00.

Category: Multirange Tapping Saddles: to T Mina Supply East for a category price total of \$750.00.

Category: Curb Boxes and Parts: to Core & Main for a category price total of \$95.00.

Category: Water Service Tubing Copper Tube Size (CTS): to Blair Supply for category price total of \$3.36.

Category: Water Main Repair Bands: to Core & Main for a category price total of \$4,838.00.

Category: Water Main Repair Couplings: to T. Mina Supply East for a category price total of \$3,415.00.

Category: Valve Boxes and Parts: to Core & Main for a category price total of \$840.60.

Category: Hydrants: to Ti-Sales, Inc. for a category price total of \$13,489.42.

Category: Fiberglass Hydrant Markers: to Hy-Viz Inc. for a category price total of \$99.00.

Category: Meter Setting Brass: Core & Main for a category price total of \$810.75.

Category: Water Service Brass: to Core & Main for a category price total of \$1,552.93.

Category: C-509 Valves: to Ti-Sales, Inc. for a category price total of \$5,302.00.

Category: C-515 Valves: to Ti-Sales, Inc. for a category price total of \$5,302.00.

Category: Sewer Parts: to Core & Main for a category price total of \$1,032.80.

Wastewater Service Agreement with the Town of Palmyra

Mr. Aman reported that this Addendum to the Service Agreement with the Town of Palmyra would resolve a misunderstanding concerning insurance and clarify the current mode of operation of the Town's wastewater collection system by the Authority whereby the Authority provides property insurance on the pump stations. After due discussion and deliberation, Mr. Hammond moved, Ms. Ferguson seconded and all members present unanimously approved the following resolution:

RESOLVED, that, subject to the review and approval by the Authority attorney, the Executive Director be, and hereby is, authorized and directed to execute and deliver, effective as of January 1, 2008, Addendum No. 1 to the 2008 Service Agreement with the Town of Palmyra, in the form reviewed by the Authority Board.

Operations Agreement with the Village of Red Creek

Mr. Aman reported that the Authority's assistance in the operations of the Red Creek Village water system has been reviewed, and the 20 hours per week commitment of assistance has been removed. The Authority will provide assistance as needed, now amounting to 15-20 hours per week, on a lump sum basis as opposed to recording hours worked. After due discussion and deliberation, Mr. Humbert moved, Mr. Hammond seconded and all members present unanimously approved the following resolution:

RESOLVED, that, subject to the review and approval by the Authority attorney, the Executive Director be, and hereby is, authorized and directed to execute and deliver, effective as of May 1, 2023, Addendum No. 3 to the 2020 Amended and Restated Operations Agreement with the Village of Red Creek, in the form reviewed by the Authority Board.

BOCES Co-Op Electricity Bid

Mr. Aman reported that it was time to consider renewing participation in the BOCES electricity bid as the Authority has since 2015. After due discussion and deliberation, Mr. Hammond moved, Mr. Ross seconded and all members present unanimously approved the following resolution:

Cooperative Electricity Bid WFL 2024-12

WHEREAS, the Wayne County Water & Sewer Authority desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of

Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of electricity; and

WHEREAS, the Wayne County Water & Sewer Authority is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the Wayne County Water & Sewer Authority has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the appropriate agency of New York State and making recommendations thereon;

THEREFORE, BE IT RESOLVED, that the Wayne County Water & Sewer Authority and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above; and

BE IT FURTHER RESOLVED, that the Wayne County Water & Sewer Authority authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services; and

BE IT FURTHER RESOLVED, that the Wayne County Water & Sewer Authority agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director on behalf of the Wayne County Water & Sewer Authority hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of electricity and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

Miscellaneous Meetings

Mr. Aman reported that it had been a busy month with a number of conferences. A number of employees attended the New York Rural Water Association's Technical Training and Workshop in Lake Placid and two attended an AWWA Young Professionals Workshop in Albany. He himself attended the AWWA Annual Conference in Toronto, where he was awarded the New York Section George Warren Fuller Award for distinguished service to the water supply field. There were also a number of contractor-related meetings and those with Garlock.

Monthly Operations

Mr. DiBenedetto displayed a Power Point presentation of photos of the start of the Arcadia Water District 15 project with the new trench compaction equipment; the inside and outside of the chemical feed building at the Regional Tank; the outfall location of the new Regional WWTP; and the Marion, Macedon and Walworth pump stations under construction by Villager Construction. Mr. Ceratt displayed photos of the interior of the pump room at the Joy Road Pump Station. He reported that Siewert Equipment, the pump supplier, had remarked that it was one of the best installations they had

ever seen. The installation was the work of David Bodak, Josh Kay, Scott Snyder, Ben Minkau and Aaron Blanchard. Mr. Monroe reported that the bulk of asphalt restoration has been completed. Service installation is steady now, and many customers in Arcadia Water District 15 are already signing up. Mr. Ceratt reported on the summer hydrant painting project; 513 hydrants are finished to date. The ArcGIS system has been invaluable in keeping everybody on the same page and recording the hydrant painting and services operations. Mr. Aman wanted the Board to know of the work Bob Brewer, the groundskeeper, has done with the summer help in improving the landscaping at the Operations Center.

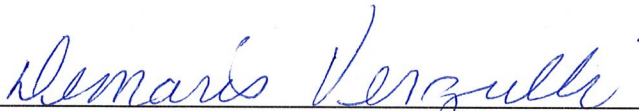
There was discussion of the need to purchase pickup trucks. The State bid process has changed and it is difficult to get on a list for purchase. Rumor has it that Ford may pull out of the State bid program.

Mr. Aman noted that a number of Board members and Authority employees had attended the Dutchland Hard Hat Luncheon at the Western Regional WWTP today with a tour of the company's Sequencing Batch Reactor construction. Ms. Freling was directed to send a thank you to Dutchland.

Mr. Howard reported that the state is moving on the Cap-and-Invest Program designed to reduce greenhouse gas emissions. Under this program, DEC will establish a State-wide cap and "obligated" sources of greenhouse gas emissions (e.g., large-scale emitters such as wastewater treatment plants) will be required to purchase allowances at auction for each ton of greenhouse gas that they emit. The cap will then be reduced each year as the required carbon reductions increase. This will allow the State to meet its mandated emission reduction goals of 40% by 2030, and at least 85% from 1990 levels by 2050, as required by the CLCPA. To date, the cost of the allowances and other program details have not been set, but the program is required to be finalized by year-end. He will keep the Board apprised of State actions.

There being no further business, upon a motion by Ms. Furguson, seconded by Mr. Ross, the meeting was adjourned at 2:43 p.m.

Respectfully submitted by:



Demaris Verzulli, Secretary of the Meeting

